

# **Part B.**

## **Section I**

- 1. Funding Agreements**
- 2. Certifications**
- 3. Assurances**

Signed funding agreements, Certifications and Assurances are on the following pages.



# COMMONWEALTH of VIRGINIA

Office of the Governor

Mark R. Warner  
Governor

May 22, 2002

Ms. LouEllen M. Rice  
Grants Management Officer  
Office of Program Services  
Division of Grants Management  
Rockwall II Building, Suite 630  
5515 Security Lane  
Rockville, Maryland 20852

Dear Ms. Rice:

I am delegating responsibility for the administration of Virginia's Community Mental Health Services (CMHS) Block Grant and Substance Abuse Prevention and Treatment (SAPT) Block Grant to the Commissioner of the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services, effective this date. Questions concerning these grants should be directed to the Commissioner's office at:

The Virginia Department of Mental Health,  
Mental Retardation and Substance Abuse Services  
Post Office Box 1797  
Richmond, Virginia 23218  
Telephone: (804) 786-3921

I would also like to authorize my Secretary of Health and Human Resources to make the required certifications and assurances associated with the CMHS and SAPT Block Grants on my behalf for this and subsequent years of my administration.

Sincerely,

Mark R. Warner

MRW/cmg

cc: The Honorable Jane H. Woods  
Secretary of Health and Human Resources

✓ James S. Reinhard, M.D., Commissioner  
Department of Mental Health, Mental Retardation  
and Substance Abuse Services

**ASSURANCES - NON-CONSTRUCTION PROGRAMS**

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

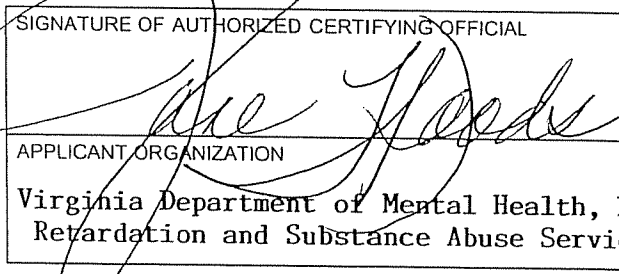
**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

**Note:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standard or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standard for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685- 1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §§794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to non- discrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Title II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327- 333), regarding labor standards for federally assisted construction subagreements.

10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetland pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§ 469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 		TITLE Secretary of Health and Human Resources
APPLICANT ORGANIZATION Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services		DATE SUBMITTED August 18, 2005

## CERTIFICATIONS

### 1. CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

The undersigned (authorized official signing for the applicant organization) certifies to the best of his or her knowledge and belief, that the applicant, defined as the primary participant in accordance with 45 CFR Part 76, and its principals:

- (a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal Department or agency;
- (b) have not within a 3-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) are not presently indicted or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and
- (d) have not within a 3-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

Should the applicant not be able to provide this certification, an explanation as to why should be placed after the assurances page in the application package.

The applicant agrees by submitting this proposal that it will include, without modification, the clause titled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion--Lower Tier Covered Transactions" in all lower tier covered transactions (i.e., transactions with sub-grantees and/or contractors) and in all solicitations for lower tier covered transactions in accordance with 45 CFR Part 76.

### 2. CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

The undersigned (authorized official signing for the applicant organization) certifies that the applicant will, or will continue to, provide a drug-free workplace in accordance with 45 CFR Part 76 by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing drug-free awareness program to inform employees about--
  - (1) The dangers of drug abuse in the workplace;
  - (2) The grantee's policy of maintaining a drug-free workplace;
  - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
  - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a) above;
- (d) Notifying the employee in the statement required by paragraph (a), above, that, as a condition of employment under the grant, the employee will--
  - (1) Abide by the terms of the statement; and
  - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the agency in writing within ten calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central

- point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
- (f) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d) (2), with respect to any employee who is so convicted--
    - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
    - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
  - (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

For purposes of paragraph (e) regarding agency notification of criminal drug convictions, the DHHS has designated the following central point for receipt of such notices:

Office of Grants and Acquisition Management  
 Office of Grants Management  
 Office of the Assistant Secretary for Management and Budget  
 Department of Health and Human Services  
 200 Independence Avenue, S.W., Room 517-D  
 Washington, D.C. 20201

### 3. CERTIFICATION REGARDING LOBBYING

Title 31, United States Code, Section 1352, entitled "Limitation on use of appropriated funds to influence certain Federal contracting and financial transactions," generally prohibits recipients of Federal grants and cooperative agreements from using Federal (appropriated) funds for lobbying the Executive or Legislative Branches of the Federal Government in connection with a SPECIFIC grant or cooperative agreement. Section 1352 also requires that each person who requests or receives a Federal grant or cooperative agreement must disclose lobbying undertaken with non-Federal (non-appropriated) funds. These requirements apply to grants and cooperative agreements EXCEEDING \$100,000 in total costs (45 CFR Part 93).

The undersigned (authorized official signing for the applicant organization) certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the under-

signed, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

- (2) If any funds other than Federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. (If needed, Standard Form-LLL, "Disclosure of Lobbying Activities," its instructions, and continuation sheet are included at the end of this application form.)

- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

### 4. CERTIFICATION REGARDING PROGRAM FRAUD CIVIL REMEDIES ACT (PFCRA)

The undersigned (authorized official signing for the applicant organization) certifies that the statements herein are true, complete, and accurate to the best of his or her knowledge, and that he or she is aware that any false, fictitious, or fraudulent statements or claims may subject him or her to criminal, civil, or administrative penalties. The undersigned agrees that the applicant organization will comply with the Public Health Service terms and conditions of award if a grant is awarded as a result of this application.

## 5. CERTIFICATION REGARDING ENVIRONMENTAL TOBACCO SMOKE

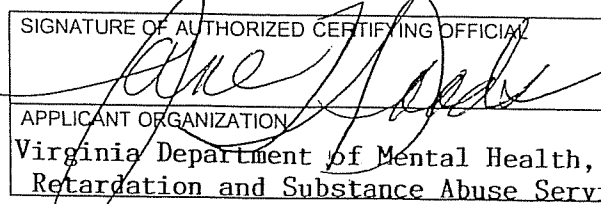
Public Law 103-227, also known as the Pro-Children Act of 1994 (Act), requires that smoking not be permitted in any portion of any indoor facility owned or leased or contracted for by an entity and used routinely or regularly for the provision of health, day care, early childhood development services, education or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law also applies to children's services that are provided in indoor facilities that are constructed, operated, or maintained with such Federal funds. The law does not apply to children's services provided in private residence, portions of facilities used for inpatient drug or alcohol treatment, service providers whose sole source of applicable Federal funds is Medicare or Medicaid, or facilities where WIC coupons are redeemed.

Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1,000 for each violation and/or the imposition of an administrative compliance order on the responsible entity.

By signing the certification, the undersigned certifies that the applicant organization will comply with the requirements of the Act and will not allow smoking within any portion of any indoor facility used for the provision of services for children as defined by the Act.

The applicant organization agrees that it will require that the language of this certification be included in any subawards which contain provisions for children's services and that all subrecipients shall certify accordingly.

The Public Health Services strongly encourages all grant recipients to provide a smoke-free workplace and promote the non-use of tobacco products. This is consistent with the PHS mission to protect and advance the physical and mental health of the American people.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE Secretary of Health and Human Resources
APPLICANT ORGANIZATION Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services	DATE SUBMITTED August 18, 2005

Attachment A

COMMUNITY MENTAL HEALTH SERVICES BLOCK GRANT FUNDING  
AGREEMENTS

FISCAL YEAR 2006

I hereby certify that Virginia agrees to comply with the following sections of Title V of the Public Health Service Act [42 U.S.C. 300x-1 et seq.]

**Section 1911:**

Subject to Section 1916, the State<sup>21</sup> will expend the grant only for the purpose of:

- i. Carrying out the plan under Section 1912(a) [State Plan for Comprehensive Community Mental Health Services] by the State for the fiscal year involved;
- ii. Evaluating programs and services carried out under the plan; and
- iii. Planning, administration, and educational activities related to providing services under the plan.

**Section 1912**

(c)(1)&(2) [As a funding agreement for a grant under Section 1911 of this title] The Secretary establishes and disseminates definitions for the terms "adults with a serious mental illness" and "children with a severe emotional disturbance" and the States will utilize such methods [standardized methods, established by the Secretary] in making estimates [of the incidence and prevalence in the State of serious mental illness among adults and serious emotional disturbance among children].

**Section 1913:**

(a)(1)(C) In the case for a grant for fiscal year 2005, the State will expend for such system [of integrated services described in section 1912(b)(3)] not less than an amount equal to the amount expended by the State for the fiscal year 1994.

[A system of integrated social services, educational services, juvenile services and substance abuse services that, together with health and mental health services, will be provided in order for such children to receive care appropriate for their multiple needs (which includes services provided under the Individuals with Disabilities Education Act)].

(b)(1) The State will provide services under the plan only through appropriate, qualified community programs (which may include community mental health centers, child mental-health programs, psychosocial rehabilitation programs, mental health peer-support programs, and mental-health primary consumer-directed programs).

(b)(2) The State agrees that services under the plan will be provided through community mental health centers only if the centers meet the criteria specified in subsection (c).

(C)(1) With respect to mental health services, the centers provide services as follows:

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21. The term State shall hereafter be understood to include Territories.



- (A) Services principally to individuals residing in a defined geographic area (referred to as a "service area")
- (B) Outpatient services, including specialized outpatient services for children, the elderly, individuals with a serious mental illness, and residents of the service areas of the centers who have been discharged from inpatient treatment at a mental health facility.
- (C) 24-hour-a-day emergency care services.
- (D) Day treatment or other partial hospitalization services, or psychosocial rehabilitation services.
- (E) Screening for patients being considered for admissions to State mental health facilities to determine the appropriateness of such admission.

(2) The mental health services of the centers are provided, within the limits of the capacities of the centers, to any individual residing or employed in the service area of the center regardless of ability to pay for such services.

(3) The mental health services of the centers are available and accessible promptly, as appropriate and in a manner which preserves human dignity and assures continuity and high quality care.

#### **Section 1914:**

The State will establish and maintain a State mental health planning council in accordance with the conditions described in this section.

(b) The duties of the Council are:

- (1) to review plans provided to the Council pursuant to section 1915(a) by the State involved and to submit to the State any recommendations of the Council for modifications to the plans;
- (2) to serve as an advocate for adults with a serious mental illness, children with a severe emotional disturbance, and other individuals with mental illness or emotional problems; and
- (3) to monitor, review, and evaluate, not less than once each year, the allocation and adequacy of mental health services within the State.

(c)(1) A condition under subsection (a) for a Council is that the Council is to be composed of residents of the State, including representatives of:

- (A) the principle State agencies with respect to:
  - (i) mental health, education, vocational rehabilitation, criminal justice, housing, and social services; and
  - (ii) the development of the plan submitted pursuant to Title XIX of the Social Security Act;
- (B) public and private entities concerned with the need, planning, operation, funding, and use of mental health services and related support services;
- (C) adults with serious mental illnesses who are receiving (or have received) mental health services; and
- (D) the families of such adults or families of children with emotional disturbance.

(2) A condition under subsection (a) for a Council is that:

- (A) with respect to the membership of the Council, the ratio of parents of children with a serious emotional disturbance to other members of the Council is sufficient to provide adequate representation of such children in the deliberations of the Council; and

(B) not less than 50 percent of the members of the Council are individuals who are not State employees or providers of mental health services.

**Section 1915:**

(a)(1) State will make available to the State mental health planning council for its review under section 1914 the State plan submitted under section 1912(a) with respect to the grant and the report of the State under section 1942(a) concerning the preceding fiscal year.

(2) The State will submit to the Secretary any recommendations received by the State from the Council for modifications to the State plan submitted under section 1912(a) (without regard to whether the State has made the recommended modifications) and comments on the State plan implementation report on the preceding fiscal year under section 1942(a).

(b)(1) The State will maintain State expenditures for community mental health services at a level that is not less than the average level of such expenditures maintained by the State for the 2-year period preceding the fiscal year for which the State is applying for the grant.

**Section 1916:**

(a) The State agrees that it will not expend the grant:

(1) to provide inpatient services;

(2) to make cash payments to intended recipients of health services;

(3) to purchase or improve land, purchase, construct, or permanently improve (other than minor remodeling) any building or other facility, or purchase major medical equipment;

(4) to satisfy any requirement for the expenditure of non-Federal funds as a condition of the receipt of Federal funds; or

(5) to provide financial assistance to any entity other than a public or nonprofit entity.

(b) The State agrees to expend not more than 5 percent of the grant for administrative expenses with respect to the grant.

**Section 1941:**

The State will make the plan required in section 1912 as well as the State plan implementation report for the preceding fiscal year required under Section 1942(a) public within the State in such manner as to facilitate comment from any person (including any Federal or other public agency) during the development of the plan (including any revisions) and after the submission of the plan to the Secretary.

**Section 1942:**

(a) The State agrees that it will submit to the Secretary a report in such form and containing such information as the Secretary determines (after consultation with the States) to be necessary for securing a record and description of:

(1) the purposes for which the grant received by the State for the preceding fiscal year under the program involved were expended and a description of the activities of the State under the program; and

(2) the recipients of amounts provided in the grant.

(b) The State will, with respect to the grant, comply with Chapter 75 of Title 31, United States Code. [Audit Provision]

(c) The State will:

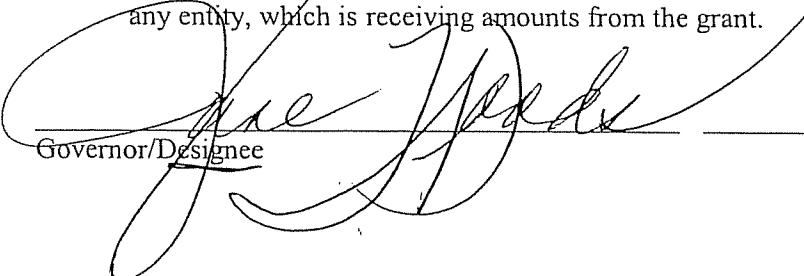
- (1) make copies of the reports and audits described in this section available for public inspection within the State; and
- (2) provide copies of the report under subsection (a), upon request, to any interested person (including any public agency).

**Section 1943:**

(a) The State will:

- (1)(A) for the fiscal year for which the grant involved is provided, provide for independent peer review to assess the quality, appropriateness, and efficacy of treatment services provided in the State to individuals under the program involved; and
- (B) ensure that, in the conduct of such peer review, not fewer than 5 percent of the entities providing services in the State under such program are reviewed (which 5 percent is representative of the total population of such entities);
- (2) permit and cooperate with Federal investigations undertaken in accordance with section 1945 [Failure to Comply with Agreements]; and
- (3) provide to the Secretary any data required by the Secretary pursuant to section 505 and will cooperate with the Secretary in the development of uniform criteria for the collection of data pursuant to such section

(b) The State has in effect a system to protect from inappropriate disclosure patient records maintained by the State in connection with an activity funded under the program involved or by any entity, which is receiving amounts from the grant.

  
Governor/Designee

6-27-05  
Date

## **4. Public Comments on State Plan**

The following actions were taken to solicit comment on the state plan and block grant application.

- Copies of the draft state plan were shared with the Mental Health Planning Council at its June 29 meeting for review, comment and discussion. A portion of the meeting agenda was devoted to review comment and discussion of the plan.
- The input of the Council was considered in the development of a subsequent draft of the application. This draft was mailed to each community services board, members of the Mental Health Planning Council and other interested persons requesting input and comments. CSBs were required to make the application available to the public in their community.
- A public hearing was held on August 10, 2005 to solicit and hear public comments on the draft FFY 2006 CMHS Block Grant Application. The following notice of the hearing was published on July 26<sup>th</sup>:

### **Department of Mental Health, Mental Retardation and Substance Abuse Services**

**August 10, 2005 - 10 a.m. – Public Hearing**

Thomas Jefferson Building, 1220 Bank Street, 9<sup>th</sup> Floor Conference Room, Richmond Virginia.  
(Interpreter for the deaf provided upon request)

A public hearing to receive comments on the Virginia Community Mental Health Services Performance Partnership Block Grant Application for Federal Fiscal Year 2006. Copies of the application are available for review at the Office of Mental Health Services, 10<sup>th</sup> Floor, Thomas Jefferson Building and at each community services board office. Comments may be made at the hearing or in writing by no later than August 10, 2005 to the Office of the Commissioner, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218. Any person wishing to make a presentation at the hearing should contact William T. Ferriss, LCSW. Copies of oral presentations should be filed at the time of the hearing.

**Contact:** Office of Mental Health, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218. Telephone (804) 786-4837, FAX (804) 371-0091, or (804) 371-8977/TDD

The notice appeared in five newspapers:

- The Washington Post
- The Richmond Times-Dispatch
- The Norfolk Virginian Pilot
- The Roanoke Times and World News
- The Danville Register and Bee

## **Section II. and Section III.**

### **Set-Aside for Children's Mental Health Services Report and Maintenance of Effort Report**

The table below shows the increases in expenditures for services for children with serious emotional disturbance from 1996 to 2005. These expenditures demonstrate compliance with the set-aside requirements of the CMHS Block Grant.

#### **Section II. SET-ASIDE FOR CHILDREN'S MENTAL HEALTH SERVICES REPORT**

	1997	1998	1999	2000	2001	2002	2003	2004	2005
Expenditures for Children's Services	2,224,474	2,215,910	2,224,474	2,217,533	2,393,943	2,393,943	2,393,943	2,593,943	2,451,943
Target Funding Level	1,501,623	1,501,623	1,501,623	1,501,623	1,501,623	1,501,623	1,501,623	1,501,623	1,501,623

Source: Actual expenditures by state fiscal year.

#### **Section III. MAINTENANCE OF EFFORT (MOE) REPORT**

The table below shows the amount of state funds expended in each state fiscal year from 1996 to 2005. These expenditures comply with the maintenance of effort requirements of the CMHS Block Grant.

	1997	1998	1999	2000	2001	2002	2003	2004	2005
Total State Funds for Mental Health Services	72,372,473	75,637,015	76,404,012	102,328,081	113,475,260	143,337,362	143,440,572	157,928,978	179,563,654

## Section IV.

### State Mental Health Planning Council Requirements

#### 1. Membership Requirements and 3. Planning Council Charge, Role and Activities

Virginia's Mental Health Planning Council has bylaws that describe the council's mission, objectives, committee structure, membership requirements, governance and other important aspects of the council's functioning. The Council serves in an advisory capacity to the state and plays an important role in identifying areas for advocacy and system change and serving as an advocate for the development of a recovery-oriented system of care. In addition to its legislative charge to review, monitor and evaluate the adequacy of mental health services within the state, the council brings together a broad group of stakeholders that has been responsible for the development of many new programs and education for consumers and families. The following are excerpted from the bylaws.

#### **Membership**

- Membership shall be in accordance with federal laws and regulations.
- Each term of membership shall be for three years with no member serving more than two successive terms.

#### **Planning Council Charge, Role and Activities**

- The mission of the Virginia Mental Health Planning Council (MHPC) is to advocate for a consumer and family-oriented, integrated and community-based system of high quality mental health care.
- The Council shall serve as the primary, on-going forum for articulating and building a consensus among consumers, families and other advocates, state agencies, and mental health providers and planners which will insure a system of treatment, services and supports of high quality for children and adults with SED and SMI.
- The Council shall review annually all expenditures and budgets in the state system for mental health services to satisfy the federal mandate that monies spent do not conflict with the restrictions of the Federal mandate. This review includes the Federal Block Grant Application, the Mental Health Plan(s) of Virginia to be expressed in the Performance Partnership Plan. Additionally, the Council shall review all other plans which are developed by the state which will impact mental health consumers including, but not limited to, the state's six year Comprehensive Strategic Plan and the Community Services Performance Contract.
- The Council shall continuously monitor, evaluate and review the implementation of the State's Mental Health Plan including:
  - a. the allocation, adequacy and quality of services to children with serious emotional and mental disorders and adults with serious mental illness,
  - b. the congruence between existing services and the Commonwealth's stated values, priorities and goals, and,

- c. the plan's impact on improving the quality of life for Virginia's mental health consumers and their families.
  - d. direct observation, visitation, and interviews by consumers, family members and advocates with regard to the programs, facilities, and human rights provisions of the state.
- The Council shall make recommendations to the various departments and agencies serving or funding services for consumers and their families, including, but not limited to the Commissioner and the Board of the DMHMRSAS, and the Governor of the Commonwealth of Virginia.
- The Council shall monitor the activities of and make recommendations to state Executive and Legislative Committees whose actions affect consumers and their families.
- The MHPC has the following standing committees:
  - **Executive** This committee shall be responsible for coordinating the operations of the council. It shall comprise the President, the two Vice Presidents, Secretary, the immediate past president, and the chairpersons of all committees, standing and ad-hoc.
  - **Bylaws and Policy** This committee shall continually review the bylaws and policy manual to offer recommendations and modifications to the Executive Committee and the full council with regard to the structure and functioning of the organization.
  - **Membership and Training** This committee shall continually review the membership for compliance with federal law, evaluating full openness in participation in regard to race, creed or national origin, and geographical location, seek and recruit potential members, and report or make recommendations to the Executive Committee and the full council on all issues regarding membership.
  - **Evaluation and Monitoring** This committee shall develop improved methods to continuously review all programs offered in the mental health system, to evaluate the effectiveness of data gathering, management, assessment and program review, for their effectiveness to consumers and their families, as well as to the program units.
  - **Adult Services** This committee shall review existing services, recommend modifications to existing services, collaborate in the development of additional or new service models, while promoting best practices.
  - **Child and Adolescent Services** This committee shall review existing services, recommend modifications to existing services, collaborate in the development of additional or new service models, while promoting best practices, cooperating with other committees.
  - **Advocacy and System Reform** This committee shall advocate for the rights and needs of those with mental health concerns while continually obtaining input from the consumers, their families, and advocacy organizations.
  - **Budget and Funding**
    - This committee shall
    - a. Continually review and advise the council on expenditures and budgeting for mental health services through the DMHMRSAS and all other programs within the state. It shall alert the council with regard to matters of concern and make recommendations to improve the funding of mental health services. The Committee shall identify other financial resources.

- b. Develop a spending plan for Council activities and monitor expenditures to assure successful implementation.

## 2. State Mental Health Planning Council Membership List and Composition

**TABLE 1. Planning Council Composition by Type of Member**

Type of Membership	Number	Percentage of Total Membership
TOTAL MEMBERSHIP	34	
Consumer	8	24%
Family Member of SED Child	7	21%
Family Member of SMI adult	4	12%
Other (not state employee or provider)	4	12%
TOTAL C/S/X, Family Members & Others	23	68%
State Employee	7	21%
Provider	4	12%
TOTAL State Employees & Providers	11	32%

Note: 1) The ratio of parents of children with SED to other members of the Council must be sufficient to provide adequate representation of such children in the deliberations of the Council, 2) State employee and provider members shall not exceed 50% of the total members of the Planning Council, and 3) Other representatives may include public and private entities concerned with the need, planning, operation, funding, and use of mental health services and related support services.



**Table 2. List of Planning Council Members**

<b>Name</b>	<b>Type of Membership</b>	<b>Agency or Organization Represented</b>	<b>Address, Phone &amp; FAX</b>
Van Avery	Family Member of SMI adult	MH Assoc. of Danville/Pittsylvania County	1225 West Main Street P.O. Box 11066 Danville, VA 24543 Phone: (434) 792-3700 Fax: (434) 791-3187
Nancy Beebe	Family Member of SED Child	NAMI - Virginia	PO Box 1903 Richmond, VA 23218 Phone: (804) 426-6499
Ann Benner	Consumer	VOCAL Network	PO Box 4491 Charlottesville, VA 22905-4491 Phone: (434) 760-0345
Raymond Bridge	Consumer		2809 Rosemary Lane Falls Church, VA 22042-1811 Phone: (202) 720-5447 Fax: (703) 534-6730
Alicia Bush	Provider	Prince William CSB	15941 Donald Curtis Drive, Suite 200 Woodbridge, VA 22191 Phone: (703) 792-7095 Fax: (703) 792-5097
H. Lynn Chenault	Provider	New River Valley CSB	700 University City Boulevard Blacksburg, VA 24060-2706 Phone: (540) 961-8421 Fax: (540) 557-4042
Paul J. Cook	Other (not state employee or provider)		4346 Mulcaster Terrace Dumfries, VA 22026 Phone: (703) 558-7809
Becky Currin	State employee	Virginia Office for Protection and Advocacy	1910 Byrd Ave., Suite 5 Richmond, VA 23230 Phone: (804) 662-7240
Ann Cutshall	Consumer	Virginia Association for the Deaf Blind	2313 Wright Avenue Richmond, VA 23225 Phone: (804) 231-4256

<b>Name</b>	<b>Type of Membership</b>	<b>Agency or Organization Represented</b>	<b>Address, Phone &amp; FAX</b>
Lynn DelaMer	Other (not state employee or provider)	MH Assoc. in Fredericksburg	2217 Princess Anne Street Suite 219-1 Fredericksburg, VA 22401 Phone: (540) 371-2704 Fax: (540) 372-3709
Vicky M. Fisher	Other (not state employee or provider)	Mental Health Association of Virginia	8260 Ellerson Green Court Mechanicsville, VA 23116 Phone: (804) 225-5591 Fax: (804) 225-5593
Everett Franklin	Family Member of SMI adult		3406 Kim Court Apartment #B5 Roanoke, VA 24018 Phone: (540) 774-1018
Fran Gallagher	Family Member of SED Child		11303 Bath Court Fredricksburg, VA
Dawn Girard	Family Member of SED Child		9400 Braxton Way Mechanicsville, VA 23116
Catherine Hancock	State Employee	Department of Medical Assistance Services	600 East Broad Street, Suite 1300 Richmond, VA 23219 Phone: (804) 225-4272 Fax: (804) 786-1680
Robin L. Hulbert	State Employee	Department of Corrections	6900 Atmore Drive, #2091 Richmond, VA 23225 Phone: (804) 674-3299
Alison Hymes	Consumer		7145 Southall Lane Gordonsville, VA 22942 Phone: (540) 832-0093
Mary Kaye Johnston	State Employee	Department of Rehabilitative Services	8004 Franklin Farms Drive P.O. Box K300 Richmond, VA 23229 Phone: (804) 662-9968 Fax: (804) 662-9140
Joyce B. Kube	Family Member of SED Child	Parents and Children Coping Together (PACCT)	P.O. Box 26691 Richmond, VA 23261-6691 Phone: (804) 559-6833 Fax: (804) 559-6835

<b>Name</b>	<b>Type of Membership</b>	<b>Agency or Organization Represented</b>	<b>Address, Phone &amp; FAX</b>
James M. Martinez	State Employee	Department of Mental of Health, Mental Retardation, and Substance Abuse Services	P.O. Box 1797 Richmond, VA 23219 Phone: (804) 371-0767 Fax: (804) 371-0091
Mary McQuown	Consumer	VOCAL	2401 Payne Road Chesapeake, VA 23323 Phone: (757) 487-6633
Carolann Pacer-Ramsey	Family Member of SED Child	Families 1st of Virginia, Inc.	1711 East Main Street Suite 100 Richmond, VA 23223 Phone: (804) 649-8804 Fax: (804) 644-4642
Brian Parrish	Consumer	VOCAL	PO Box 1248 Charlottesville, VA 22902 Phone: (434) 243-7878
Cynthia Power	Consumer	VOCAL	107 Elkhorn Road Charlottesville, VA 22903 Phone: (434) 923-4543
Shirley G. Ricks	State Employee	Department of Mental Health, Mental Retardation and Substance Abuse Services	P.O. Box 1797 Richmond, VA 23219 Phone: (804) 786-0992 Fax: (804) 371-7959
Sherry Rose	Family Member of SED Child		14322 Climbing Rose Way Centerville, VA 20121 Phone: (703) 815-2494
Joe Speidel	State Employee	Department of Housing and Community Development	Jackson Center 501 North Second Street Richmond, VA 23219 Phone: (804) 371-7175 Fax: (804) 371-7091
Byron Stith	Consumer	VOCAL Network	2701 E. Main St., Apt. 502 Richmond, VA 23223 Phone: (804) 814-8280
Tony Vadella	Provider	Poplar Springs Hospital	P.O. Box 3060 350 Poplar Springs Drive Petersburg, VA 23805 Phone: (804) 748-7490

<b>Name</b>	<b>Type of Membership</b>	<b>Agency or Organization Represented</b>	<b>Address, Phone &amp; FAX</b>
Dennis Waite	State Employee	VA Department of Juvenile Justice	Behavioral Services Unit 1601 Bon Air Road Richmond, VA 23235 Phone: (804) 786-0798
Irene Walker-Bolton	Family Member of SMI adult	Department of Education	P.O. Box 6Q Richmond, VA 23216 Phone: (804) 225-2709
Nancy W. Ward	Family Member of SED Child	DMHMRSAS Board	107 Rich Neck Road Williamsburg, VA 23185 Phone: (800) 363-3687 Fax: (757) 253-1807
Jack Wood	Provider	Catawba Hospital	5525 Catawba Hospital Drive Catawba, VA 24070 Phone: (540) 375-4201 Fax: (540) 375-4394
L. William Yolton	Family Member of SMI adult		3825 Gibbs Street Alexandria, VA 22309 Phone: (703) 360-3657 Fax: (703) 360-1992

#### **4. State Mental Health Planning Council Comments and Recommendations**

Letter from Ray Bridge based on Planning Council comments and discussion at June 29 meeting